

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 20-1548V

ALISEN HUGHES,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: February 11, 2021

SCHEDULING ORDER – PRE-ASSIGNMENT REVIEW (“PAR”)

This case has been reviewed for completeness as part of the Pre-Assignment Review (PAR) process described in the PAR Initial Order. Petitioner was ordered to file records required by § 11(c) of the Vaccine Act.¹ These include medical records for the three years prior to the vaccination at issue, including primary care records, which are currently missing or incomplete.

Petitioner filed one set of primary care records from Hazlet Medical Services, but these records indicate that Petitioner was a new patient as of January 10, 2018. Exhibit 4 at 98. Because the records from Hazlet Medical Services do not cover the full three-year pre-vaccination time period, Petitioner shall file all additional primary care records for this time period.

The following is ORDERED: In order to complete the PAR process and be assigned to a special master or the Special Processing Unit, Petitioner shall file, by no later than Monday, March 29, 2021,

- Petitioner’s primary care records (and any other relevant medical treatment records) for the three-year pre-vaccination time period. If these pre-vaccination records have already been filed, petitioner shall file a status report identifying the exhibit(s) and page number(s). If no additional records exist, Petitioner shall file an affidavit, declaration or status report confirming that no additional records exist.

¹ The National Childhood Vaccine Injury Act (“Vaccine Act”), as amended, 42 U.S.C. §§ 300aa-1 to-34, which established the National Vaccine Injury Compensation Program (“the Program”). Hereinafter, for ease of citation, all “§” references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2012).

- Statement of Completion and updated exhibit list.

If Petitioner is unable to file the required records by that time, Petitioner shall file any and all available records and move pursuant to Vaccine Rule 19(b) for an enlargement of time to file any medical records or affidavits that remain outstanding. Any such motion for enlargement shall state with specificity what medical records or affidavits remain outstanding.

Any questions about this order or about this case generally may be directed to OSM staff attorneys, Andrew Schick, andrew_schick@cfc.uscourts.gov, and Francina Segbefia, francina_segbebia@cfc.uscourts.gov.

IT IS SO ORDERED.

s/Brian H. Corcoran
Brian H. Corcoran
Chief Special Master